



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 17, 2015

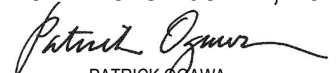
The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

29 November 17, 2015


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
SKYLINE RIDING AND HIKING TRAIL, OPEN SPACE, AND UTILITY EASEMENTS
SOUTHWEST OF HORIZON LANE (PRIVATE STREET)
IN THE CITY OF DIAMOND BAR
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate easements for riding and hiking trail, open space, and utility purposes southwest of Horizon Lane (Private Street) in the City of Diamond Bar that are no longer needed for public use.

IT IS RECOMMENDED THAT THE BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easements for riding and hiking trail, open space, and utility purposes southwest of Horizon Lane (Private Street) in the City of Diamond Bar have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that they may, therefore, be vacated, pursuant to Section 8333(a) of the California Streets and Highways Code.

3. Find that the easements for riding and hiking trail, open space, and utility purposes southwest of Horizon Lane (Private Street) in the City of Diamond Bar have been determined to be excess and that there are no public facilities located within the easements and that they may, therefore, be vacated, pursuant to Section 8333(c) of the California Streets and Highways Code.

4. Find that the easements for riding and hiking trail, open space, and utility purposes southwest of Horizon Lane (Private Street) in the City of Diamond Bar are not useful as nonmotorized transportation facilities as required by Section 892 of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation (Conditional), pursuant to Section 8324 of the California Streets and Highways Code.

6. Upon approval, authorize the Director of Public Works or her designee to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles to vacate the easements for riding and hiking trail, open space, and utility purposes southwest of Horizon Lane (Private Street) (Easements) in the City of Diamond Bar since they no longer serve the purpose for which they were dedicated and are not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). The vacation of the Easements will allow for trail realignment and enhance the public's accessibility to and enjoyment of the new multiuse trail.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 1.68 acres as shown on the map attached to the enclosed Resolution of Summary Vacation. As a condition of this vacation, Millennium-Diamond Road Partners, LLC, and Hua Qing Enterprises, LLC, the underlying property owners, will be dedicating an area of approximately 1.47 acres to the County as an easement for multiuse trail purposes.

The County's interest in the Easements was acquired as Parcels 8-12 through 8-17 in Final Order of Condemnation, had in Superior Court Case No. C707134, certified copies of which were recorded on June 15, 1990, as Document No. 90-1410588 and June 29, 1990, as Document No. 90-1256741, both of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as easements for riding and hiking trail, open space, and utility purposes.

Mr. Charlie C. Liu of Focus Engineering, Inc., on behalf of Millennium-Diamond Road Partners, LLC, and Hua Qing Enterprises, LLC, the underlying property owners, requested the vacation of the Easements to provide for the realignment of the easement for the construction of a new multiuse trail and permit the development of a subdivision to build new homes. The condition to dedicate a replacement easement for multiuse trail purposes will provide the County with the necessary rights for the construction of the new multiuse trail. The new proposed trail will be maintained by the Department of Parks and Recreation.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8333(c) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has been superseded by relocation or determined to be excess by the easement holder and there are no other public facilities located within the easement.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements and will result in the property's being unencumbered by the Easements and available to the property owner for use without the restriction of the Easements.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA, as specified in Sections 15305 and 15321 of the CEQA Guidelines, which state that this class of project consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, has been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow the unnecessary easements for riding and hiking trail, open space, and utility purposes to be extinguished and a replacement easement to be dedicated for the proposed trail to be maintained by Parks and Recreation. The residents of the nearby County unincorporated area and cities will benefit, and their quality of life will be further improved.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:SGS:tw

Enclosures

c: Auditor-Controller (Accounting Division—Asset
Management)
Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
SKYLINE RIDING AND HIKING TRAIL, OPEN SPACE, AND UTILITY EASEMENTS
SOUTHWEST OF HORIZON LANE (PRIVATE STREET)
(CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of easements for riding and hiking trail, open space, and utility purposes (hereinafter referred to as the Easements) in, over, and across the real property as legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements southwest of Horizon Lane (Private Street) are located in the City of Diamond Bar, in the County of Los Angeles, State of California.
2. The Easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easements have been determined to be excess, and there are no public facilities located within the easements.
4. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.
5. The Easements are hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
6. The vacation of the Easements is conditioned upon the fee owner dedicating a replacement easement for multiuse trail purposes for the construction of a multiuse trail by the underlying property owner. The condition to dedicate the trail easement must be met to the satisfaction of the Department of Public Works within 12 months of the date this resolution is adopted by the Board of Supervisors, or the vacation will terminate and become null and void.
7. Upon the satisfaction of the above condition, the Director of Public Works or her designee is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will be terminated.
8. From and after the date this resolution is recorded, the Easements will no longer constitute public service easements.

The foregoing resolution was on the 17th day of November 2015 adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

MARY WICKHAM
Interim County Counsel

By *Rick Carroll*
Deputy

PATRICK OGAWA
Acting Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By *Carla Little*
Deputy



EXHIBIT A

Project Name: SKYLINE RIDING & HIKING TRAIL, OPEN
SPACE, AND UTILITY EASEMENTS
SOUTHWEST OF HORIZON LANE
(PRIVATE STREET)

SKYLINE TRAIL 8-30VAC

Affects: SKYLINE TRAIL 8-13, 8-14, 8-15,
8-16, & 8-17

A.I.N. 8713-023-004 & 005

T.G. 680-A7

I.M. 099-337

R.D. CITY OF DIAMOND BAR

S.D. 4

M1488109

LEGAL DESCRIPTION

PARCEL NO. 8-30VAC (Vacation of riding & hiking trail, open space, and utility purposes easements):

Those certain parcels of land in Parcel 12 of Parcel Map No. 1528, as shown on map recorded in Book 26, pages 19 through 30, of Parcel Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described as Parcels 18-13, 18-14, and 18-15 in Final Order of Condemnation, had in Superior Court Case No. C-707-134, a certified copy of which was recorded on August 14, 1990, as Document No. 90-1410588, of Official Records, in the office of said Registrar-Recorder/County Clerk, and those certain parcels of land in Parcel 10 of said Parcel Map No. 1528, described as Parcels 8-16 and 8-17 in Final Order of Condemnation, had in said Superior Court Case No. C-707-134, a certified copy of which was recorded on June 29, 1990, as Document No. 90-1256741, of said Official Records.

Total area containing: 1.68 ± acres



APPROVED AS TO DESCRIPTION

By


LICENSED LAND SURVEYOR
Los Angeles County Department of Public Works

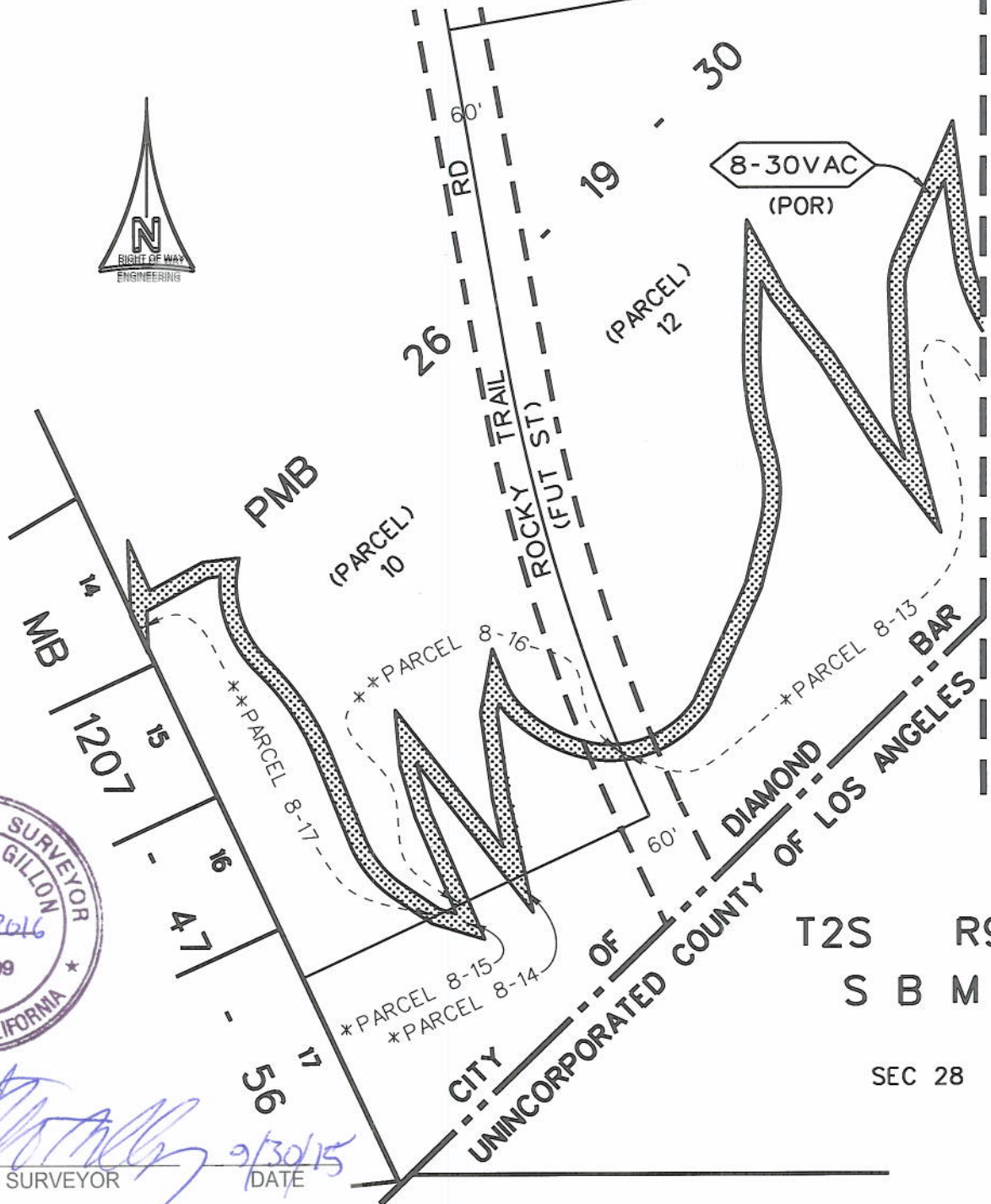
Dated SEPT. 30, 2015

EXHIBIT B



BY [Signature]
LICENSED SURVEYOR

9/30/15
DATE



T2S R9W
S B M

SEC 28

LEGEND



Existing 15-foot wide easements for Riding & Hiking Trail, Open Space, and Utility purposes to be vacated
Total Area pages 1 & 2: 1.68± acres



OR 90-1256741
County of Los Angeles
Ease - Riding & Hiking Trail, Open Space, and Utility purposes



OR 90-1410588
County of Los Angeles
Ease - Riding & Hiking Trail, Open Space, and Utility purposes

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

T.G. 680-A7
I.M. 099-337
S.D. 4
R.D. N/A

SKYLINE RIDING & HIKING TRAIL,
OPEN SPACE, AND UTILITY
EASEMENTS SOUTHWEST OF
HORIZON LANE (PRIVATE STREET)

DATE
9/30/15

SCALE:
NONE

A.I.N
8713-023-004 & 005

PREPARED BY
R. AVANCENA

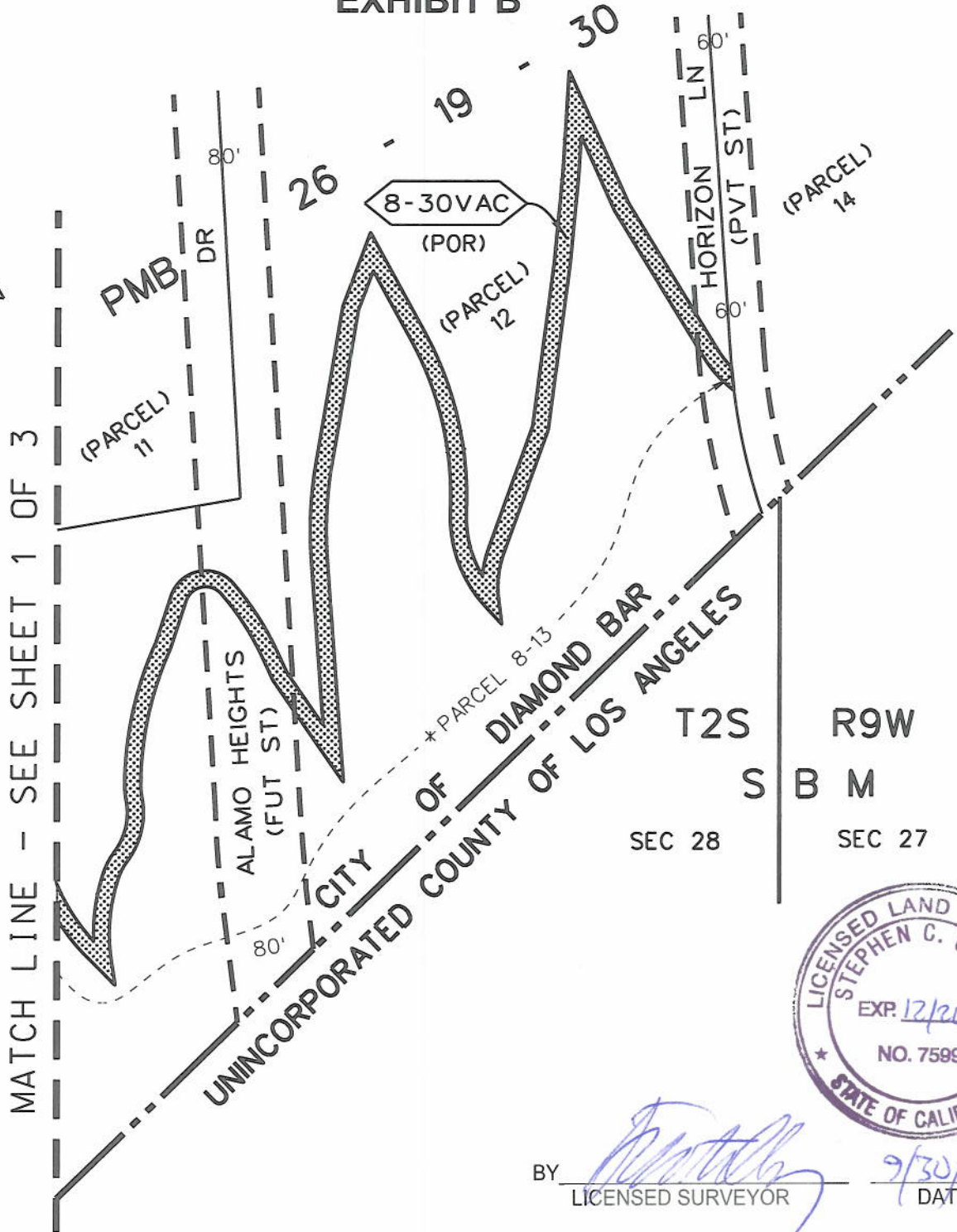
PROJECT I.D.
MPV0000123

PROJECT NO.
M1488109

PAGE NO.
1 OF 3

MATCH LINE - SEE SHEET 2 OF 3

EXHIBIT B



BY *[Signature]* 9/30/15
 LICENSED SURVEYOR DATE

LEGEND



Existing 15-foot wide easements for Riding & Hiking Trail, Open Space, and Utility purposes to be vacated
 Total Area pages 1 & 2: 1.68± acres



OR 90-1410588
 County of Los Angeles
 Ease - Riding & Hiking Trail, Open Space, and Utility purposes

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

T.G. 680-A7
 I.M. 099-337
 S.D. 4
 R.D. N/A

SKYLINE RIDING & HIKING TRAIL, OPEN SPACE, AND UTILITY EASEMENTS SOUTHWEST OF HORIZON LANE (PRIVATE STREET)

DATE
 9/30/15

SCALE:
 NONE

A.I.N
 8713-023-004 & 005

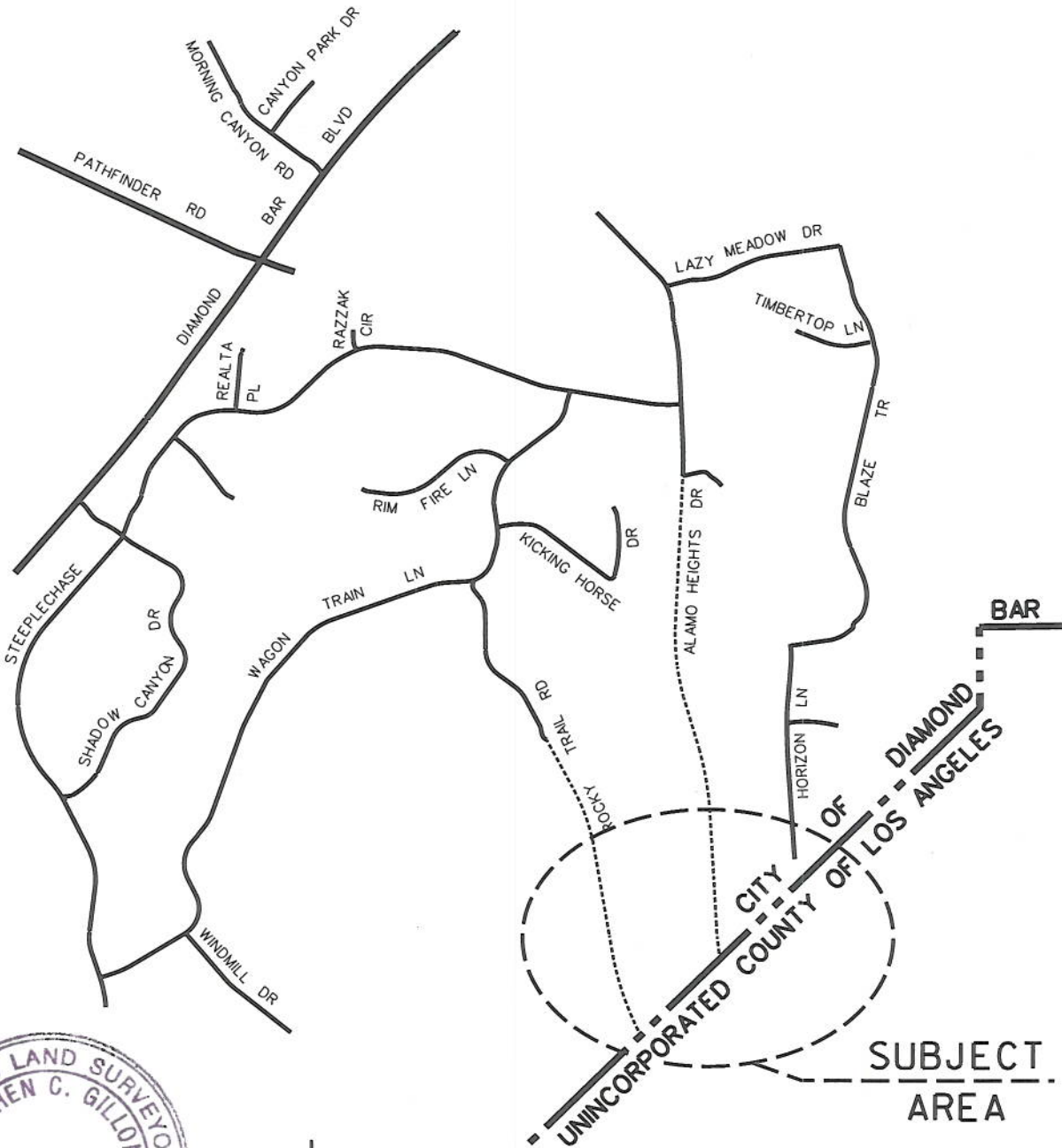
PREPARED BY
 R. AVANCENA

PROJECT I.D.
 MPV0000123

PROJECT NO.
 M1488109

PAGE NO.
 2 OF 3

EXHIBIT B



BY *[Signature]* 9/30/15
 LICENSED SURVEYOR DATE

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION			
T.G. 680-A7	SKYLINE RIDING & HIKING TRAIL, OPEN SPACE, AND UTILITY EASEMENTS SOUTHWEST OF HORIZON LANE (PRIVATE STREET)		
I.M. 099-337			
S.D. 4			
R.D. N/A			
DATE 9/30/15	SCALE: NONE	A.I.N 8713-023-004, & 005	
PREPARED BY R. AVANCENA	PROJECT I.D. MPV0000123	PROJECT NO. M1488109	PAGE NO. 3 OF 3